

**MEMO ENDORSED**

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February 15, 2008

Via ECF and Regular Mail  
Honorable Richard M. Berman  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

Re: Pure Tech Systems v. Kemper Environmental Ltd. and  
Kemper Indemnity Insurance Company  
07-CIV-7065 (RMB)

Dear Judge Berman

We represent defendants in the above matter. Discovery is due to close on March 3, 2008 at which time the parties are to appear before the Court. We write in further supplement and support of plaintiff's counsel's request for an additional 90 days discovery.

On February 13<sup>th</sup> we received by email responses and objections to defendants' First Set of Interrogatories and First Request for Production of Documents. I spoke with plaintiff's counsel upon receipt of that email and was advised that 11 boxes of documents were sent by overnight mail. They arrived on February 14, 2008.

Under the circumstances, it is respectfully requested that the Court extend the discovery cutoff for a period of 90 days given the extensive volume of materials and the complexity of this litigation.

Respectfully submitted

David M. Pollack  
DMP:cm  
cc: Vinjanyant Pawar, Esq.  
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See Court's rules re: production  
motions! Discovery (Fact +  
Expert) is extended 90 days  
+ conference with paragraphs is  
adjourned to 6/13/08 @ 9:00 A.M.  
Motion #16 is denied as  
filed improperly.

**SO ORDERED:**

Date: 2/17/08 Richard M. Berman  
Richard M. Berman, U.S.D.J.